



NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)
31512-172404

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re Application of

Stefan FIETKAU

Application Number

09/875,294

Filed

June 7, 2001

For: "METHOD OF AND APPARATUS FOR APPLYING ADHESIVE
TO RUNNING WEBS OF PAPER AND THE LIKE"

Group Art Unit
3721

Examiner
John Sipos

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, January 20, 2006, rejecting the following claims: 4-8, 10-12, 15-18, 24 -26.

The fee of \$500 for this Notice of Appeal was paid on April 20, 2005.

\$ ____

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ ____.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 22-0261. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed.

☐ attorney or agent of record.

☒ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). 33,074.

Signature

Catherine M. Voorhees

Typed or printed name

April 19, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

VENABLE
ATTORNEYS AT LAW

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



AF 27w 3721

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL For FY 2006 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Complete if Known	
		Application Number	09/875,294
		Filing Date	June 7, 2001
		First Named Inventor	Stefan FIETKAU
		Examiner Name	John Sipos
		Art Unit	3721
TOTAL AMOUNT OF PAYMENT		(\$)	.00
		Attorney Docket No.	31512-172404

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: **22-0261** Deposit Account Name: **Venable LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
- 20 or HP	x	=		Fee (\$) Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP	x	=	

HP = highest number of total claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

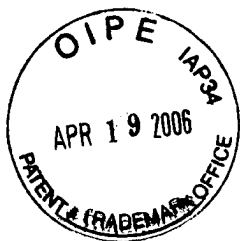
Notice of Appeal

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SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	33,074
Name (Print/Type)	Catherine M. Voorhees	Telephone	(202) 344-4000
		Date:	04/19/2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stefan FIETKAU

Application No. 09/875,294

Confirmation No. 3721

Filed: June 7, 2001

For: METHOD OF AND APPARATUS
FOR APPLYING ADHESIVE TO
RUNNING WEBS OF PAPER AND THE
LIKE

Art Unit: 3721

Examiner: John Sipos

Atty. Docket No.: 31512-172404

Customer No.

26694

PATENT TRADEMARK OFFICE

REQUEST FOR REINSTATEMENT OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This paper is to expressly request reinstatement of the appeal.

EXPLANATION OF CHRONOLOGY

1) Applicant initially filed a Notice of Appeal with the necessary Notice of Appeal Fee of \$500.00 on April 20, 2005, requested a third one-month Extension of Time and paid the extension fee;

2) Applicant filed an Appeal Brief with the necessary Appeal fee on June 14, 2005;

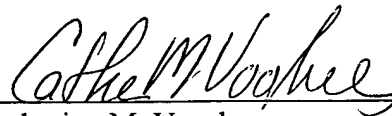
3) On August 5, 2005, the Examiner issued a non-final Office Action re-opening prosecution in this application;

4) On November 5, 2005, Applicant filed a response to the August 5, 2005 Office Action; on January 20, 2006, the Examiner issued a final Office Action.

Filed concurrently herewith is a Notice of Appeal appealing the decision of the Examiner dated January 20, 2006 rejecting claims 4-8, 10-12, 15-18 and 24-26. It is believed that no fee is required for the Notice of Appeal as the previously paid Notice of Appeal fee should be applied to this new appeal. However, should an additional fee be required other than the amounts previously paid to the U.S. PTO, the Commissioner is authorized to charge Deposit Account 22-0261 for purposes of maintaining the pending status of this application and advise the undersigned accordingly.

Date: April 19, 2006

Respectfully submitted,


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